

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA,)
)
)
v.)
)
)
Carlos Marrero,)
a/k/a "Brooklyn,")
)
Defendant.)

CRIM. NO. 05-30017-MAP

FILED
U.S. DISTRICT COURT
DISTRICT OF MASSACHUSETTS
05-08-4 P 3 5

MOTION FOR EXCLUDABLE DELAY
PURSUANT TO THE SPEEDY TRIAL ACT, 18 U.S.C. § 3161
(Assented To)

The United States of America, by Michael J. Sullivan, United States Attorney for the District of Massachusetts, submits the following motion for an order of excludable delay for the following:

1. the period of time from June 20, 2005, the date on which the defendant filed his discovery letter pursuant to Local Rule 116.3(A), through July 4, 2005, fourteen days from the date on which the discovery letter was filed during which time the government was preparing its response, pursuant to 18 U.S.C. § 3161(h)(8)(A) and Local Rule 112.2(A)(3);

2. the period of time from July 8, 2005, the date on which the government responded to the defendant's discovery request letter indicating that it would agree to produce the relevant documents pertaining to the DEA laboratory's analysis of the narcotics obtained from the defendant and to produce the pen register information pertaining to the defendant as per his

request, through such reasonable date as those materials are obtained from their source(s) and produced to the defendant; and


3. the period of time from June 22, 2005, the date on which the defendant filed his Motion for Conditional Release, through July 25, 2005, the date on which the Court ruled on that motion following a hearing (which was held on July 19, 2005), pursuant to 18 U.S.C. § 3161(h)(1)(F) and (J).

The defendant, through counsel, has been consulted and assents to this motion.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By:


Thomas J. O'Connor, Jr.
Assistant U.S. Attorney

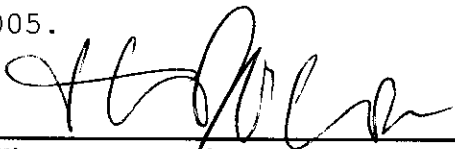
Dated: August 3, 2005

CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the person listed below a copy of the foregoing document by depositing in the United States mail a copy of same in an envelope bearing sufficient postage for delivery:

C. Jeffrey Kinder, Esq.
Fierst Pucci & Kinder LLP
64 Gothic Street
Suite 4
Northampton, MA 01060

This 3rd day of August, 2005.



Thomas J. O'Connor, Jr.
ASSISTANT U.S. ATTORNEY